

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No:

Reference No.: EN10502 US

Examiner:

Art Group:

Appn. Filed: September 28, 1999

Applicants: Oglesbee, John W.

Burns, Arthur

Title: Supplemental Battery Overcharge Protection Device



Assistant Commissioner for Patents and Trademarks
Washington, D.C. 20231

Petition for Corrected Filing Receipt

Sir:

Applicants hereby petition for a corrected filing receipt. The Commissioner is hereby authorized to charge any necessary fees to Deposit Account Number 50-0304.

On September 28, 1999, Applicants deposited as Express Mail with the United States Postal Service the application for United States Patent mentioned above. Included in the mailing were: (1) Declaration for Utility Patent Application per 37 C.F.R. § 1.63, which claimed priority from two U.S. Applications and from a PCT filing listing the United States as a designate state, a copy of the PCT application; (2) copy of the 18 page PCT application, four sheets drawings; (3) Assignments of Oglesbee and Burns including Recordation Cover Sheet; (4) Return post-card. The transmittal authorized the Commissioner to charge any fees to deposit account 50-0304.

The Express Mail label, No. EL351703315US, was returned with acceptance clerk initials, indicating that the application was received. Additionally, the return post card was returned with a date stamp of September 28, 1999. Applicants note that the return postcard stamp read "430 Rec'd PCT/PTO 28 SEP 1999".

After not receiving a filing receipt, Applicants telephoned the USPTO to inquire about the status of the application. Applicants spoke with Diane Jones, tel. No. 703-308-7751. Ms. Jones was most helpful, and indicated that the application had been received by the PCT receiving office at the USPTO as a *PCT APPLICATION*, not as a *U.S. APPLICATION*. Applicants then called the File Receipt Corrections department, tel. No. 703-308-1202, and were instructed by that department to file a Petition for a Corrected Filing Receipt. Applicants thus respectfully submit this petition with a corresponding request for correction.

The Declaration was USPTO form PTO/SB/01, which is a declaration for a U.S. Utility or Design Patent Application. Additionally, the transmittal letter was directed to the USPTO and identified the submission as a United States patent application. In light of these facts, Applicants believe that the application was properly filed with the USPTO on September 28, 1999.

For all of the above reasons, Applicants respectfully request a corrected filing date with the USPTO of September 28, 1999.

To support the facts above, Applicants include with this petition copies of the application materials mentioned above, along with a copy of the returned postcard and Express Mail label.

Applicants thank the Commissioner for consideration of this petition. The Commissioner is hereby authorized to charge any necessary fees to deposit account 50-0304.

Respectfully submitted,



Philip H. Burrus, IV
Associate Agent for Applicants
Registration No.: (P) 45,432
770-338-3227 (fax 3413)